

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

CURD MINERALS, LLC,
A Virginia limited
liability company,

Plaintiff,

v.

CIVIL ACTION NO. 1:22-00113

DIVERSIFIED PRODUCTION, LLC,
A Pennsylvania limited liability
company,

Defendant.

MEMORANDUM OPINION AND ORDER

At a hearing held on July 15, 2024, the court found that the lessors of the oil-and-gas rights to defendant Diversified Production, LLC, are necessary parties in this action to quiet title to the oil-and-gas estate underlying the two wells at issue in this case. Given that the lessors have collected royalties on the oil and gas produced from the wells since they were drilled and have acted as the owners of the property by virtue of being lessors, they have a clear interest at stake and are necessary parties under Rule 19 of the Federal Rules of Civil Procedure. See, e.g., Folse v. Am. Elec. Power Serv. Corp., No. 2:23-cv-00201, 2024 WL 1154035, at *4 (S.D.W. Va. Feb. 22, 2024) (“When a court proceeding directly affects or determines the scope of rights or interests in real property, any persons who claim an interest in the real property at issue”

are required parties under Rule 19.") (quoting Johnson v. James B. Nutter & Co., 438 F. Supp. 3d 697, 708 (S.D.W. Va. 2020)).

"If a person has not been joined as required, the court must order that the person be made a party." Fed. R. Civ. P. 19(a)(2). For that reason, plaintiff is **ORDERED** to join, within **30 days** of this order, the lessors to the lease and any other persons that have a purported ownership interest in the disputed property. The trial of this matter is **CONTINUED** until further order of the court.

The Clerk is directed to send a copy of this Order to counsel of record.

IT IS SO ORDERED this 17th day of July, 2024.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge